

## **REMARKS**

The Office Action dated March 16, 2005 has been reviewed.

In view of the submission of a terminal disclaimer and the following arguments, it is respectfully submitted that the claims are in condition for allowance.

### **Rejection of Claims Under the Judicially Created Doctrine of Obviousness-type Double Patenting**

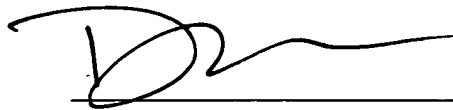
In the Office Action dated March 16, 2005, the Examiner provisionally rejected claims 1-22 and 24-35 under the judicially created doctrine of obviousness-type double patenting over claims 1-11, 13-23, 39, 41-50, and 52 of copending application number 09/938,039.

Applicant respectfully submits that the Examiner's rejection under the judicially created doctrine of obviousness-type double patenting is overcome in view of the terminal disclaimer submitted herewith in accordance with the provisions of 37 C.F.R. 1.30(b). The terminal disclaimer shows the subject application is commonly owned with application number 09/938,039. In view thereof, it is respectfully requested that the Examiner withdraw the rejection of claims 1-22 and 24-35 under the judicially created doctrine of obviousness-type double patenting, as applicable to the claims now pending in the application.

### **CONCLUSION**

In view of the above, Applicants respectfully suggest the claims are now in a condition for allowance and request issuance of a Notice of Allowance thereof.

Respectfully submitted,



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